Remarks

Claims 1-26 are pending. Claims 3-7 and 16-20 are withdrawn pursuant to the Examiner's previous restriction requirement. Claims 1-2, 8-15 and 21-26 are examined. Claims 1 and 14 are amended to more particularly point out and distinctly claim Applicant's invention.

The Examiner rejected Claims 1-2, 8-10, 14-15 and 21-23 under 35 U.S.C. § 102(b) as being anticipated by the article "A Distributed Event Logging System" ("Jaiswal"). With respect to independent Claims 1 and 14, the Examiner states:

> 3. Claims 1 and 14 are rejected for the following reasons:
>
> 1. A distributed system comprising: <u>a plurality of cooperative processes running on a plurality of processors of a computer network to accomplish a distributed transaction,</u>(Page 1 para 2) <u>each process logging in a local resource records of execution; and a search engine running on each of the plurality of processors,</u>(Section 5 para 2) <u>each search engine retrieving corresponding records of execution in response to a query</u> (Section 6).

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites a timing message being sent from time to time to cooperative processes to be logged:

> 1. A distributed system comprising:
>
> a plurality of cooperative processes running on a plurality of processors of a computer network to accomplish a distributed transaction, each process logging in a local resource records of execution; and
>
> a system synchronizer sending a timing message to be logged from time to time to the plurality of cooperative processes;
>
> a search engine running on each of the plurality of processors, each search engine retrieving corresponding records of execution in response to a query.

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As explained in Applicant's Specification, at page 4, lines 3-6, such a timing message facilitates synchronizing events in all parts of the system for comparison and ordering. Such a mechanism is neither disclosed nor suggested by Jaiswal. Thus, Applicant respectfully submits that independent Claim 1 and its dependent Claims 2 and 8-10 are each allowable over Jaiwal. Claims 14-15 and 21-23 are each similarly also allowable over Jaiswal. Reconsideration and allowance of Claims 14-15 and 21-23 are therefore requested.

The Examiner rejected Claims 11-12 and 24-25 under 35 U.S.C. § 103(a) as being unpatentable over Jaiswal, in view of U.S. Patent 6,657,517 ("Dickey"). The Examiner states:

> Claims 11-12, and 24-25 are rejected as Jaiswel teaches periodically backing up log files and stating a new file in section 4 para 2, however Jaiswel fails to teach how the logs are stored. Dickey col 2 lines 1-14 teaches storing initially in memory, Col 5 lines 31-39 teaches offloading to a disk storage. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include these features, as using memory is fast, and using disk memory for old or backup data is cheaper.

Applicant respectfully traverses the Examiner's rejection. As Claims 11-12 and 24-25 each depend from independent Claims 1 and 14, respectively, each of Claims 11-12 and 24-25 are allowable over Jaiswal for the reason set forth above with respect to Claims 1 and 14. As Dickey provides no teaching that would cure Jaiswal's deficiency, Claims 11-12 and 24-25 are each allowable over the combined teachings of Jaiswal and Dickey. Reconsideration and allowance of Claims 11-12 and 24-25 are therefore requested.

The Examiner rejected Claims 13 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Jaiswal, in view of Dickey, and further in view of U.S. Patent 6,330,570 ("Crighton") and 6,618,882 ("Loaiza"). The Examiner states:

> Jaiswel and Dickey teach the claims upon which claims 13 and 26 are dependent, but fail to expressly disclose

the merger of the indices in memory and in the disk storage. This is taught in Crighton Col 6 lines 40-48 which teaches an append type backup, by appending in this manner would cause the current file (the one stored in memory in this case) to be appended (and thus merged with) to the backup cope(the indices on the disk) Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature do to the advantage of providing a backup contains all previous log data) In the alternative, Loaiza also teaches this limitation as it teaches querying ranges of time in col 16 lines 1-14, thus in the instance were the range included both to backup and the current file the two would be merged as query results are merged as discussed in claim 8. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include this feature to provide the advantage of narrowing the search to a date range.

Applicant respectfully traverses the Examiner's rejection. As Claims 13 and 26 each depend from independent Claims 11 and 24, respectively, each of Claims 13 and 26 are allowable over Jaiswal and Dickey for the reason set forth above with respect to Claims 11 and 24 above. As neither Crighton nor Loaiza provides any teaching that would cure Jaiswal's and Dickey's deficiencies, Claims 13 and 26 are each allowable over the combined teachings of Jaiswal and Dickey. Reconsideration and allowance of Claims 13 and 26 are therefore requested.

Accordingly, all examined claims (i.e., Claims 1-2, 8-15 and 21-26) are believed allowable. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at (408)-392-9250.

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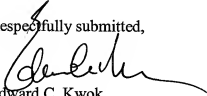
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